

Holt, Schaefer, Weller, Meagher, and

February 27, 1969

Judge Charles Halleck
Court of General Sessions
Washington, D. C.

Dear Judge Halleck:

C On the afternoon of January 17, 1969, I rose in your court and asked to be recognized as a "friend of the court". I told you that you had been imposed upon, that there had been misrepresentations and false statements made in what had been presented to you (in the case of the State of Louisiana vs. Clay L. Shaw), and that a grossly false historical record was, by deceit, being established in your court, without your knowledge.

O When you asked my qualifications, I told you I am a writer who has written extensively in this field. I should also have told you I am qualified as a documents analyst and have had professional experience in this and in intelligence, as a consultant to the federal government.

I am not, however, a lawyer and, of course, am not a judge. Therefore, I am not qualified to offer a legal opinion on whether or not there has been perjury. I do suggest it.

P On the afternoon of Friday, February 14, 1969, the government, at the end of your hearing, resubmitted in affidavit form those medical and other statements earlier given you. It is in these I believe you may find perjury and I know I can show you those things I charged on January 17. To cite but a single example, the panel report several times refers to the presence of metal fragments in the President's thoracic area, as seen in the X-rays. Elliptically, at the bottom of page four, the autopsy doctors say this by saying there was no single fragment as large as a "major portion" of a bullet. Yet, in his Warren Commission testimony (2H364), Dr. Humes swore that he and the other doctors, including their radiologist, examined these X-rays the night of the autopsy and they show no such thing anywhere in the body. The entire Warren Report is based upon this. Either it is false swearing - and material - or what has been submitted to you is. I assure you that the tiniest fragment is like a neon light on an X-ray. If the Warren testimony is not false, then it would seem to follow that the autopsy doctors' and the panel reports, now in affidavit form before you, must be.

Y The two additional signatories to the autopsy doctors' report heard Dr. Humes' Warren Commission testimony. Each, under oath, subscribed to his statements, Dr. Boswell in Volume 2, pages 376-7, and Dr. Finck in Volume 2, pages 377-8, 380 and 383.

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In our modern society, everyone is too busy to make his own study, and each seems to decide that, for the Warren Report to be wrong, requires an enormous conspiracy, extending in the Justice Department alone from the Attorney General down through the charmaid with least seniority. I suggest this is a deliberately exaggerated formulation. It has, actually, been used by those who, without seeking fact for themselves, defend the now clearly false account of the President's murder. Here, before you, is exactly the kind of case that illustrates how this happened, where everyone took on faith everyone under him. It all works back to the autopsy. Therefore, let me give you the exact quotations on this, so you can see for yourself.

C The question before you, technically, was, could the President have been shot from more than one direction. Actually, it was also that of the integrity of the entire autopsy. For anyone to consider the conclusions of the Warren Report at all possible, the President could have been struck by no more than two bullets and both had to have come from an angle consistent with origin in the easternmost window of the sixth floor of the Texas School Book Depository. You know the single-bullet theory. That bullet must have emerged from Governor Connally completely intact, save for the slight possibility of having lost the minuscule weight of about two grains, and these only from the core, at the rear end of the bullet. More than this weight is accounted for as lost in Governor Connally's body, and, before the Commission, these same doctors so stipulated, thus recording their disproof of what they were used, and knew they were being used, to prove.

P This is the testimony that made it possible to pretend there could have been a single-bullet theory (Vol. 2, p.364):

Mr. Specter. What did those X-rays disclose with respect to the possible presence of a missile in the President's body?
Dr. Humes. They showed no evidence of a missile in the President's body at any point. And these were examined by ourselves and by the radiologist who assisted us in this endeavor. (emphasis added)

Y However, in the affidavit of these same doctors before you, the very last sentence on the fourth page gives an entirely different, though carefully contrived, account. It reads, "However, careful examination at the autopsy, and the photographs and x-rays taken during the autopsy, revealed no evidence of a bullet or of a major portion of a bullet in the body of the President ..."

Stripped of Aesop, this actually says these were fragments in the body, no one of which was as large as a "major portion" of a bullet. This being the case, they came from something other than Bullet 399 and are entirely unaccounted for, in either the autopsy report or the Warren Report. They require at least an additional bullet, which eliminates the already impossible belief of a single assassin.

That there is no doubt these fragments were in the body is repetitiously established by the panel report which, contrary to reality, pretends with its casualness that it is merely reporting a known fact:

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On page 13, under "Neck Region", in discussing the X-rays -

Also, several small metallic fragments are present in this region.

On page 15, introduced by these words, "The other bullet struck the decedent's back ..." -

There is a track between the two cutaneous wounds as indicated by subcutaneous emphysema and small metallic fragments on the X-rays ...

(Parenthetically, I suggest that these doctors, called before you and sworn, would have to admit that saying "there is a track" is false, as they themselves concede at the top of page 16 and as Colonel Finck testified in New Orleans.)

C With respect to the second, "fatal" wound, it seems to me, not as a lawyer but as an analyst, that there is similar false swearing that certainly appears material. Its location, in the autopsy report and all the testimony about it, is reflected on page three of the subsequent report of the autopsy doctors, before you in affidavit form, "slightly above the external occipital protuberance". All the visual representations, as, for example, Exhibits 386, 388 and the autopsy body chart, part of Exhibit 397, locate it on a line with the top of the ear.

If this is not false swearing, then the words of the panel are. Here are their representations of the same wound, from their report:

From page 7, "high above the hairline".

P From page 11, "approximately 100 mm. (four inches) above the external occipital protuberance".

From page 12, "100 mm. above the external occipital protuberance".

From page 14, "well above the external occipital protuberance".

Y There is an enormous difference, in something the size of the human head, between a wound of entrance about one inch above the knob on the back of the head and four inches above it. A trajectory accounted for by a wound in the back of the head obviously is not identical with that accounted for with this wound not in the back but on the top of the head. If the autopsy doctors proved to the Warren Commission that, with this wound in the back of the head, the resultant damage to the head shows the bullet originated in that sixth-floor window, they also thereby proved it could not have originated in this window with the wound inflicted at or near the top of the head.

Even the measurements of this wound by the two panels of doctors are different. The autopsy doctors quote their autopsy report in their sworn statement to you (page 3) as "measuring 15 by 6 mm", whereas the panel doctors say of what they allege is the identical wound (page 11), "measuring approximately 8 mm. in diameter on the outer surface of the skull and as much as 20 mm. on the internal surface". If both of these are panels of qualified experts, can they be performing the simple task of measuring the same wound and swearing honestly about it?

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Colonel Pierre Finck was called as a defense witness in the New Orleans trial. I tell you frankly I provided the prosecution with some of my material, including a large quantity of the unpublished Warren material, as I would have given it to the defense had it asked. Apparently this was used in the questioning of Colonel Finck. If you are interested, I will be happy to give you this same material, now in a book. It brilliantly illuminates Colonel Finck's testimony in New Orleans. It, and now Colonel Finck, puts the entire autopsy in a different context and, in fact, raises additional questions, including those of additional perjuries.

Asked why the word "presumably" was added before "of entry" in the autopsy report, he responded, "Admiral Galloway told us to put in that word." He repeatedly disclosed military control over the autopsy and that the doctors did not make an entirely independent autopsy or report. There are other examples:

C About that "track" through the President's body and the incisions that were not made, incisions that could have disclosed it -

"Isn't it a fact," Colonel Finck was asked on cross-examination, "that you were told not to go through the throat area?" His reply was, "Yes, but I don't remember the details." He added he thought these orders were given by an Admiral Kinney. Asked, "Give us the name of the general who instructed Commander Humes not to talk about the autopsy report," his response was, "This was not a general, this was an admiral. This was in the autopsy room."

Q. What is his name?

A. There were several people in charge, as I recall. It was Admiral Kinney at that time, as I recall.

P Asked again, "What was the name of the general in charge of the autopsy?" Colonel Finck said, "There was no general in charge. Commander Humes said, 'Who is in charge here?' and a general answered, 'I am.' That doesn't mean he was in charge of the autopsy. He was in charge of the entire operation."

Y Added significance, I suggest, derives from the fact that Colonel Finck was quite late arriving at the autopsy. Is it not strange that at that late hour Commander Humes had occasion to ask, "Who is in charge here?" Why, indeed, should the expert presumably conducting an independent autopsy have had occasion to ask this question, about anything?

Throughout his New Orleans testimony, Colonel Finck swore to what is contrary to what was sworn to before you. He swore there was no dissection to establish the "track" in the neck area. He repeatedly swore that the fatal wound of entry was "at the back of the head", which is contrary to the statement of the panel report, placing it at the top of the head. He testified that after he arrived he "found the wound at the back of the neck and no corresponding exit. I requested X-rays. My purpose was to see if there was a bullet in the body. An X-ray will reveal a bullet." He added the X-rays showed "only fragments". This is contrary to the sworn testimony cited above, that there was no "missile" of any kind in the body. Even fragments of bone are considered "missiles", as is any fragment of bullet. He swore he could see no front neck wound, yet the panel now swears it shows in the still-existing pictures.

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Colonel Finck was somewhat embarrassed by the 100 mm. measurement of the panel. He offered a non sequitur, saying X-rays are seldom "to scale". If his explanation is at all credible, the sworn statement of the panel doctors at best is without meaning and a deception. The size of the X-rays is in evidence before you. They were 14x17 and 10x12. Neither size seems to allow this explanation.

Dr. Wecht also placed this wound in the top of the head.

Colonel Finck confirmed Dr. Humes' testimony that the X-rays were read at the autopsy, including by the radiologist. His testimony was particularly evasive when you consider this was after the hearings before you, after the panel report and the autopsy doctors' own supplemental report, and I suggest goes to intent. He here made no reference to fragments, whether or not as much as a "major portion of a bullet", saying instead, "there was no bullet left in the cadaver".

C The proceeding over which you presided, I predict, will become one of the more significant ones in our history, whether or not it so seemed to you at the time you conducted it. Particularly because you did preside so fairly, under extreme provocation, do I hope you will feel impelled to preserve the integrity of the proceeding, that of the courts of the United States, and with it that of the nation, for if we have been given a false official account of the murder of a President and if the courts have been used in an effort to validate that falsity, by use of perjury, by misrepresentation, by deception, is not the integrity of all at stake?

P I do hope you will regard this as seriously as I do. If there is any knowledge or evidence I have that might interest you, I will be happy to provide it. I have copyrighted a limited edition of one part of my study of the suppressed evidence on this autopsy and what relates to it, have another about ready for limited publication, and am preparing a third part. I do have hundreds of pages of documentation from the unpublished material.

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Sincerely,

Harold Weisberg